AMENDMENTS TO THE CLAIMS
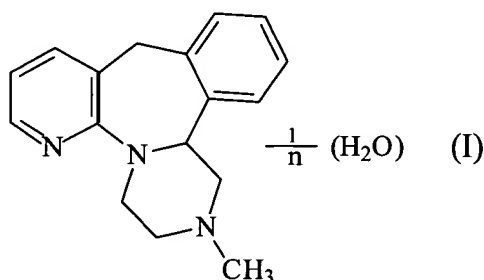
1-6. (Canceled)

7. (Currently amended) A crystal of an unlabeled mirtazapine hydrate represented by the formula (I):

$$\frac{1}{n} \text{(H}_2\text{O)} \quad \text{(I)}$$

wherein n is an integer of ~~1 to 5~~ 2 to 5.

8-11. (Canceled)

12. (Previously Presented) The crystal of a mirtazapine hydrate according to claim 7, wherein the average particle diameter of the crystals is 60 to 150 μm.
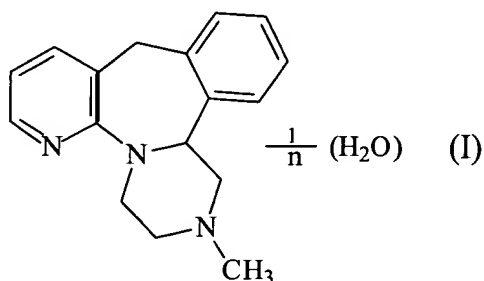
13. (Previously Presented) The crystal of a mirtazapine hydrate according to claim 7, wherein the crystal is pulverized.

14. (Previously Presented) The crystal of a mirtazapine hydrate according to claim 13, wherein the average particle diameter of the pulverized crystals is 10 to 70 μm.

15. (Previously Presented) The crystal of a mirtazapine hydrate according to claim 13, wherein the average particle diameter of the pulverized crystals is 20 to 60 μm.

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16. (Currently amended) A method for treating a human suffering from depression, comprising administering a pharmaceutically acceptable <u>solid</u> composition prepared from an effective amount of mirtazapine crystals having <u>(i) a water content of not more than 0.5% by weight and</u> <u>(ii)</u> a hygroscopic degree of not more than 0.6% by weight when the crystals are stored in the air having a relative humidity of 75% at 25°C under atmospheric pressure for 500 hours.

17. (Currently Amended) The method according to claim 16, wherein the mirtazapine crystals have been prepared by a process comprising drying crystals of a mirtazapine hydrate ~~represented~~ ~~by the~~ <u>of the following</u> formula I:

$$\frac{1}{n} (H_2O) \quad (I)$$

wherein n is an integer of 1 to 5.

18, (New) The crystal of a mirtazapine hydrate according to claim 7, wherein the hydrate is a mirtazapine hemihydrate.

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